

LINCOLN STEFFENS TELLS THE STORY OF CONFESSIONS

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would consider a proposition to compromise. Like everybody else, he declared it was impossible, and he meant that it was impossible both from his side and from the other side. But when I told him how generously the opposition regarded the proposition he said that it might be a way out, and he thought that both his clients, the McNamara boys, and organized labor could be made to see it. We talked of the larger view of the prospect, of the use of getting the truth out, and he kept going back to the certainty that "Jim," as he called J. B. McNamara, would be convicted and might hang.

"I never had a man hang that I undertook to defend," he said, "and I cannot bear to think of this boy being killed."

To Erectors' Association Later.

He told me to go ahead and see what could be done. Those of us who were at work therefore went on seeing other men. They all protested, of course, and some of them seemed to cite insurmountable obstacles. There was the "cast," for example, and that meant the Erectors' Association and others, who were hot on the man hunt in Chicago, Indianapolis and New York. No one doubted for a moment that, if these men could be told what the plan was and what the spirit was that moved us, they could be got to come in. And, by the way, it is to be put up to them later. But they were telegraphed to—and most people think they can't say much in a telegram—so they didn't get a clear sense of anything and telegraphed back protesting against any compromise. This had its effect. For these men not only replied to the telegrams they received, but they wired also to other men in Los Angeles, and we were afraid there would be a leak. The business was hurried and the terms against the McNamara boys were hardened.

Planned to Free All Except "Jim."

For it must be understood what everybody here in Los Angeles saw was that if it was to be done at all it must be done handsomely. The first, the local proposition, was that James B. McNamara, the boy on trial, was to plead guilty and that every-

body else was to go free. I can't speak for District Attorney Fredericks; I didn't see him personally, but everybody else wished that as few individuals as possible should be punished. Edwin T. Earl expressed the highest conception of it all.

"Let's have done with punishment," he said. "Let's get through with all vengeance."

Mr. Earl is far in advance of his day; his view did not prevail. There had to be one victim at least, and by and by, it appeared that there must be two.

Meanwhile Darrow was being kept informed of these changes one by one, and you could see him age under it all. He carried it alone at first. I think it must have been a week before he had faith in the outcome to talk with his colleagues about it. And when he did he took them one by one, and not more than one a day.

Like everybody else, they protested at first, but when they were asked to consider what the case was and what the chances were of getting labor and the labor philosophy rightly understood, they came in—all, except John Harriman. He is the Socialist candidate for mayor, and it was expected that the plea of guilty and the attitude of business men in Los Angeles toward labor might affect the result. So Harriman was kept in the dark of the plan afoot, until he got it when the public did. He had been neglecting the case, very naturally, on account of his preoccupation with his campaign, so he knew nothing either of the hopelessness of the case nor of the negotiations.

Score Called in Conference.

When the negotiations were preparing for a settlement it was deemed advisable to take the matter up with a larger body of representative business men. Some twenty or more men were hurriedly invited to Mr. Lisner's office Wednesday evening, November 29. Those that responded were Stoddard Jess, the leading financier of Los Angeles; J. O. Koepfler, former president of the Municipal League and a large employer of labor; R. W. Brunham, local manager for R. G. Dun & Co.; Edwin T. Earl, proprietor of two newspapers;

Fred Baker, of the Baker Iron Works; M. T. Snyder, banker, former mayor of Los Angeles; T. E. Gibbons, leading lawyer and member of the harbor commission; Paul Shoup, vice president and general manager of the Southern Pacific Electric lines in Southern California; James Slauson, president of the Chamber of Commerce; H. W. Frank, a prominent merchant; former United States Senator Frank P. Flint; W. J. Washburn, prominent banker and member of the city council; and Meyer Lisner, local political reform boss.

Citizens Ask "What Next?"

Here again the same method was gone through with, only in an exaggerated degree. It was comparatively easy to take one man by himself and show him, but to put the case to a group, with many divergent views was more difficult. The first statement fell like a pall upon them. They saw the matter plainly enough. They grasped it in one statement, but citizens ask "What next?"

Fred Baker raised the real question. He explained for the rest of them his resentment of the troubles labor had caused him, and his predicament is typical enough and very real. He and some of his friends were sore about it and they expressed feelings which were not unlike those that drive labor into the use of force. But as the conversation went along it was represented to them that they also were guilty of wrongs to labor and that part of the fault for the condition in Los Angeles was theirs. And there was no denial of it. This was the spirit which gives an outsider the sense that if Los Angeles really goes at this job it can really do something. Certainly no other city could do more than these men here can toward having an understanding, if not with, at least of, the needs and feeling and thoughts of labor. And that is what Mr. Baker's mind drove at. He wanted to know "What next?"

"If this is done," he said, "when it is done what are we going to do then?"

District Attorney in Compromise.

And that was the proposition, and it was taken up there and it was decided to try the experiment of a meeting with some labor leaders. In other words, the conclusion was to back quietly any action the district attorney should decide to take, and if a compromise was arranged, not to rest content with that, but to go on and have a conference with labor upon the labor situation in Los Angeles. In all fairness to Captain

Fredericks, the district attorney, it should be said that, so far as I know, he never asked for any such support. I can't go intimately into his part of the negotiations. Another man, whom I have not permission to name, saw Mr. Fredericks, and all I heard of this was indirect. But it amounted to this: That the district attorney knew that he had an almost perfect case; that he had been criticised a good deal during the last campaign and was eager to handle this case in a way that would answer all his critics, but that, like everybody else, he took the larger view and compromised in the interest of the community.

The day after the meeting in Mr. Lisner's office, Thanksgiving, some eight or ten other leading citizens of the city were sought and four were found: William Mulholland, chief engineer of the Los Angeles aqueduct; J. B. Lippincott, assistant engineer of the aqueduct; W. B. Mathews, attorney for the aqueduct department, and Chas. D. Willard, the man who more than any other in the city represents and personifies the many years of fighting that have been done here for good government. All these men agreed the compromise was just the thing.

Brothers Agree to Plead Guilty.

Thanksgiving Day was the crucial day. The terms had been negotiated down to a point where there were only two differences. Harry Chandler went to see the district attorney to ask him to concede one point and the counsel for the McNamara boys went over to the jail. I went with the latter group, and the story of what happened there I shall tell later. All that need be said now is that "Jim," who had consented four or five days before to plead guilty himself, objected to having his brother John do the same thing. J. J. was willing. He gave his consent after five or ten minutes' talk, and I sat with "Jim" while the lawyers talked to John.

"John will never do it," "Jim" said to me. Within a minute they came back with John's consent.

"Jim" held out all forenoon, and late in the afternoon, when I went back to the jail, I found that the attorneys had also returned there. They had "Jim's" consent to a plea of guilty by both of them.

Edward N. Nockels Convinced.

That evening LeCompte Davis, one of the local attorneys who was assisting in the defense, went to see Mr. Fredericks. Mr. Darrow, Joseph Scott and I went over to Darrow's house and waited. We didn't have to wait long. In about twenty minutes Mr. Davis

came in and he said that he and Mr. Fredericks had agreed. There was one more struggle. Toward the end of last week Mr. Darrow had wired to Samuel Gompers at Atlanta to send out here somebody to represent the American Federation of Labor. Edward N. Nockels, secretary of the Chicago Federation of Labor, had responded, and he was waiting for us at Mr. Darrow's house. He didn't like the arrangement at all at first, but the whole case was gone over for him bit by bit and the whole situation here and elsewhere in labor circles was put before him. It was a wonderful review of actualities in that field and it convinced Nockels. He said that under all the circumstances he thought it was for the best.

Not Afraid of the Judge.

There remained only the judge to be seen. Mr. Fredericks called on him; nobody knows just what was said, of course, but he had known nothing of the negotiations and he would have nothing to do with the understanding. His view was that he couldn't have. The men might plead guilty and that would stop the cases, of course. But he must be left free to consider them on their merits only and to fix any sentences that he might deem just.

The success or failure of the whole arrangement, therefore, depends upon what Judge Bordwell may decide. No one has any inkling of what he will do, but I have had several personal conversations with him and I am not afraid that he will do anything to change the result. He isn't as hard as he seems to be, and I don't find in his mind any of the prejudice of which some of his critics here have accused him of. But, as I said above, if he should happen to sentence the prisoners to penalties greater than those agreed upon by the attorneys the whole thing is off and the trial will go on as before.

Cat Late in Coming Out of Bag.

This is what Los Angeles needed to know when the news was published. For, you understand, nobody, except those fully in the secret, had any inkling that negotiations were going on at all. The first sign of anything was yesterday morning, when, upon the calling of the cases, the district attorney asked for a postponement till 2 o'clock in the afternoon. He did this apparently to get a chance to see the judge, and then, to see the defense. The reporters were on the jump at this, and in a short time the sense of expectancy got into the air in the courthouse. Everything that happened for the next four hours was full of significance and several rumors

were hatched which grew big in the afternoon. For when the court was called again in the afternoon, everybody was still off on some wrong scent. A crowd had gathered; the courtroom was stifled, and so was the hall outside. "Jim" McNamara was brought in as usual, but after him came J. J. That would seem to let the cat out of the bag, but even then no one guessed what was up. The truth didn't come out until the district attorney arose and told the judge that he understood that James and J. J. McNamara wished to change their plea from not guilty to guilty.

Crowd Slow to Grasp Situation.

Very quietly, but under intense excitement, the usual form was gone through. It lasted only ten minutes at the most, and it was not until the judge arose to go out that the crowd, including the reporters, recovered themselves enough to move. Then, of course, there was a lively scattering for telephones and a buzzing of inquiries. Men asked one another what had happened. They couldn't quite get it. They couldn't grasp it. In order to understand this you must know that ever since the explosion in the Times building the class line has been drawn here and almost every one has taken a side. Moreover, almost all men have been thinking on their side. If you were for labor, the building was blown up by gas. If you were on the capitalist side, it was blown up by dynamite put there by labor men. Out of this had developed a new principal party, the Socialist party, and with it were all kinds of workmen and their friends and others, enough to make a number near enough to a majority to frighten everybody on the other side. And those on the other side had also united into a solid mass.

Not a Selfish Darrow Move.

The truth, the plain fact, which an outsider could determine in three days of inquiry, the truth that representatives of a group of organized labor, which has been blowing up bridges had turned aside to "give the Los Angeles Times one" was almost unbelievable by labor and even the other side couldn't credit the news that the McNamara boys had pleaded guilty. It was evident beyond all question that the rank and file of workmen, even here, did not believe that they were guilty.

Rumors that were invented to explain shows the state of the public mind. One of them was that Mr. Darrow had surrendered to serve himself. It happened that Monday last a detective in the employ of the defense was arrested on the charge of at-

tempting to bribe a man who was expected to be summoned in the next list of jurors. Since the public did not know how long before that the negotiations had been started the conclusion was jumped at that Mr. Darrow had decided suddenly, after that Monday, to settle. This is absurd, of course, and when the time comes I shall tell of a message Mr. Darrow gave to me after that arrest to carry to the other side. It is enough for the present to say that it will let Mr. Darrow out of any charge of selfishness.

Big Questions for the Public.

What the public here will think about it when all the facts are known, what the effect on the election may be, are interesting questions to be answered in the next two or three days. But the questions that I should like to leave on the national mind are just these:

What are we Americans going to do about conditions which are breeding up healthy, good-tempered boys like these McNamara boys really to believe, as they most sincerely do, they and a growing group of labor—that the only recourse they have for improving the conditions of the wage worker is the use of dynamite against property and life?

And is it possible for a group of employers, well meaning as these are, whom we have dealt with in Los Angeles, to understand their employees' point of view—not to take it, mind you, but simply to comprehend?

These are real questions they are pressing here. They are coming to all of us in all of our cities. Certainly it is worth while to watch what happens here in Los Angeles in the next few months. I propose to follow this inquiry east for a while and then come back here. We are getting an understanding of politics, we are coming to get some sense of the evils of direct action by organized capital. Why shouldn't we go on and find out about labor?

IN TRIPOLI.

"We had to notify the soldiers to hurry up and get through the last battle."

"What was the trouble?"

"The moving picture films gave out."—St. Louis Times.

KEEP THEM FOR HER.

Newed—I hope these eggs are as fresh as the ones we got last week.

Mrs. Newed—Oh, yes, dear. I telephoned the grocer to be sure and send me some of the same lot.—Boston Transcript.



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